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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,824	06/15/2001	Masaya Umemura	500.4021400	6606

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EXAMINER

BORISSOV, IGOR N

ART UNIT PAPER NUMBER

3629

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/880,824

Applicant(s)

UMEMURA ET AL.

Examiner

Igor Borissov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

Examiner acknowledges that claims 1-4 and 12-13 have been canceled.

#### ***Claim Objections.***

Claims 5-11 are objected to because of the following informalities:

Claim 5. The preamble is missing a word "comprising" (See: MPEP 608.01(i)).

Claims 6-11 are objected to as been dependent of claim 5.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5-6 and 11 are rejected under 35 U.S.C. 102( ) as being anticipated by Nagatomo et al. (US 6,717,522).

Nagatomo et al. (hereinafter Nagatomo) teaches a message providing system, comprising:

Claim 1. A trade apparatus, including: a display, a touch panel, a communication means (C. 13, L. 24-36), a non-contact card reader/writer (C. 12, L. 55-62), and a service settling means (C. 24, L. 42-51); an information processing apparatus, including: an information decrypting means (C. 10, L. 40-43), an authenticating means (*validity evaluating means*) (C. 25, L. 53) and

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means for settlement based on said authentication (C. 26, L. 23-35); a person detecting sensor (C. 11, L. 53-58); and means for recognizing said person (C. 12, L. 65-67).

Claim 6. Said system including a means for issuing a receipt (*ticket*) for conforming that the service has been provided (C. 26, L. 55-57).

Claim 11. Said system including an encrypting means (C. 10, L. 40-43).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagatomo in view of Sheldon (US 6,112,989).

Nagatomo teaches all the limitations of claim 7, including a magnetically recording means and printing means (C. 23, L. 46-48; C. 26, L. 55-57), except explicitly teaching means for storing tickets and shaping means.

Sheldon teaches a mobile passenger check-in or gate area station, including a stored ticket stack (*means for storing tickets to be issued*) (C. 3, L. 31-32), and a fed mechanism allowing use of fan-folded tickets in a printer (*shaping means*) (C. 4, L. 34-35).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Nagatomo to include means for storing tickets and shaping means, as disclosed in Sheldon, because it would allow to use said trade apparatus in check-in or gate areas at air terminals, as specifically disclosed in Sheldon (C. 1, L. 5-19).

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Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagatomo in view of Fujioka (US 5,837,982).

Claims 8-9. Nagatomo teaches all the limitations of claims 8-9, except teaching two antennas having different ranges (*service areas*).

Fujioka teaches antenna arrangement for a non-contact IC card gate facility, including two antennas (12) and (11) (Fig. 7), wherein antenna (12) has longer range (*service area*) than antenna (11) (C. 6, L. 42-51; C. 7, L. 10-38).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Nagatomo to include antenna arrangement as disclosed in Fujioka, because it would allow to decrease a space occupied by the gate facility, as specifically stated in Fujioka (C. 2, L. 19-27).

Claim 10. Said system, including a gate, which is blocked or opened based on the information read from the non-contact IC card (Fujioka; C. 7, L. 31-35).

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

The best foreign art uncovered by the examiner: EP 789331 A1 to Ueda, disclosing ticket issuance utilization system including an IC-card and non-contact terminal.

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308-2702.

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Any response to this action should be mailed to:

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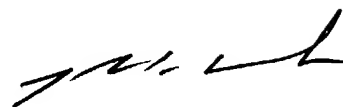
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or faxed to:

**(703) 872-9306**

[Official communications; including After Final  
communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451  
Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.



JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
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